IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.621 OF 2000

IN

ARBITRATION PETITION NO.4 OF 1986

1.Sunil C. Khatau & others. ...Appellants.

VS.

1.Dilip Dharmsey Khatau & others ...Respondents

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Mr.Rajiv Narula i/b. Jhangiani Narula & Associates, for Appellants.

Mr.J.B.Chinoi with Mr.Sanjay Jain i/b. M/s.Kanga & Co., for Respondent nos.1, 2(a) to 2(c), 3 to 5.

Mr.A.Y.Bookwala i/b. M/s.Malvi Ranchoddas & Co., for Respondent no.7.

Mr.Bergis Colabawala i/b. M/s.Madekar & Co., for Respondent no.8.

**CORAM: D.K.DESHMUKH** &
**J.H.BHATIA, JJ.**

**DATED: 12th September,2007**

**P.C**.:

1. By consent of parties, the order passed by the learned Single Judge in Arbitration Petition no.4 of 1986 is set aside.

2. Arbitration petition no.4 of 1986 is remitted back to the learned Single Judge for hearing and decision in accordance with law.

3. Considering that the petition relates to the year 1986 and we are required to set aside the order in peculiar circumstances, we request the learned Single Judge hearing the arbitration petition to decide it as far as possible within a period of three months from today.

4. The parties have agreed that they will make joint request before the learned Single Judge for fixing up the arbitration petition for final hearing at early date and that they will co-operate with the learned Single Judge to decide the petition as expeditiously as possible.

5. The parties are agreed that the petition can be decided on the basis of the same pleadings which are already on record. The parties may file some compilation either of judgments or of documents.

6. Due to death of certain parties it has become necessary to amend the petition for bringing legal

representatives on record. The petitioners in Arbitration petition no.4 of 1986 are therefore, granted leave to amend the petition for that purpose. Amendment to be carried out within a period of two weeks from today. Time to carry out amendment in the appeal extended by two weeks from today.

Appeal is disposed of.

(D.K.Deshmukh, J.)

(J.H.Bhatia, J.)

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